IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.11 OF 2006
IN
SUIT NO.359 OF 2005

AND
NOTICE OF MOTION NO.12 OF 2006
IN
SUMMARY SUIT NO.120 OF 2005

Vinod R. Shah .. Plaintiff.
V/s.
Dinesh P. Mehta .. Defendant.

Mr.V.R. Shah, plaintiff in person.
Mr.B.A. Singh for the defendant.

CORAM : J.P. DEVADHAR, J.

DATED : 17TH AUGUST, 2006.

P.C. :

1. These two notice of motion are taken out by the plaintiff for setting aside the exparte order passed on November 22, 2005 whereby the summons for judgment taken out by the plaintiff have been dismissed for default.

2. The learned advocate for the defendant leaves it to the Court regarding the reliefs sought in the notice of motions but requests that the reply filed by the defendants be taken on record.

3. For the reasons stated in the affidavit in support of the notice of motion, both the notice of motions are allowed in terms of prayer (b) and (c) of the respective notice of motion. Affidavits filed taken on record.

4. Both the notice of motion stands disposed of.

(J.P. DEVADHAR, J.)